

ORDINANCE No. _____, SERIES 2008

AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 3008 – 3010 BARDSTOWN ROAD (TAX BLOCK 80G, LOTS 89 & 90), CONTAINING 1400 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 9155) (AS AMENDED).

SPONSORED BY: COUNCILMAN TOM OWEN

WHEREAS, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission and the recommendations of the Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 9155; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning changes in Case No. 9155 and approves and accepts the recommendations of the Planning Commission as set out in said minutes and records;

NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: That the property located at 3008 – 3010 Bardstown Road (Tax Block 80G, Lots 89 & 90), containing 1400 square feet and being in Louisville Metro, more particularly described in the minutes and records of the Planning Commission in Case No. 9155 is hereby rezoned from C-1 Commercial to C-2 Commercial, provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 9155, with the following revised binding element:

5b. ~~There shall be no outdoor music (live, piped, radio or amplified) or outdoor entertainment or PA system (audible beyond the property line or permitted on the site).~~ There shall be no live entertainment conducted on or associated with the outdoor patio. Any music provided for the outdoor dining area shall comply with the noise ordinance restrictions.

And additional binding element:

7. There shall be no freestanding or attached structure or mechanism by which alcohol is dispensed within the outdoor C-2 Commercial area. Instead, alcohol shall be dispensed to the outdoor C-2 Commercial area from with inside the restaurant.

Section II: This Ordinance shall take effect upon passage and approval.

Kathleen J. Herron
Metro Council Clerk

Jim King
President of the Council

Jerry Abramson
Mayor

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

By: _____